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ARTICLES

OF

Peace, Commerce and Alliance,

Between the CROWNS

OF

GREAT BRITAIN

England. — Treaties, &c. — II. Charles II.

AND

SPAIN.

CONCLUDED

In a Treaty at *Madrid* the 13. 23. day of *May*, in the year of our LORD GOD, 1667.

Translated out of Latine.

Published by His Majesties Command.

EDINBURGH,
Re-printed by *Evan Tyler*, Printer to the Kings most Excellent Majesty, M.DC.LXVII.

Articles of Peace, Commerce, and Alliance, between the Crowns of Great Britain *and* Spain.

I. *Irſt, It is agreed and Concluded*, That from this day forward there ſhall be between the two Crowns of *Great Britain* and *Spain*, a General, Good, Sincere, True, Firm and Perfect Amity, Confederation and Peace, which ſhall endure for ever, and be obſerved inviolably, as well by Land, as by Sea and Freſh-waters; and alſo between the Lands, Countries, Kingdoms, Dominions and Territories, belonging unto, or under the obedience of either of them; And that their Subjects, People and Inhabitants reſpectively, of what condition, degree or quality ſoever, from henceforth reciprocally, ſhall help, aſſiſt, and ſhew to one another all manner of Love, good Offices, and Friendſhip.

II. That neither of the ſaid Kings, nor their reſpective People, Subjects or Inhabitants within their Dominions, upon any pretence, may in publick or ſecret, do, or procure to be done, any thing againſt the other, in any place, by Sea or by Land, nor in the Ports or Rivers of the one or the other, but ſhall treat one another with all Love and Friendſhip; and may by Water and by Land, freely and ſecurely paſs into the Confines, Countries, Lands, Kingdoms, Iſlands, Dominions, Cities, Towns, Villages, wall'd or without wall, fortified or unfortified, their Havens and Ports (where hitherto Trade and Commerce hath been accuſtomed) and there trade, buy and ſell, as well of and to the Inhabitants of the reſpective Places, as thoſe of their own Nation, or any other Nation that ſhall be or come there.

III. That the ſaid Kings of *Great Britain* and *Spain*, ſhall take care that their reſpective People and Subjects from henceforward do abſtain from all Force, Violence or Wrong; and if any injury ſhall be done by either of the ſaid Kings, or by the People or Subjects of either of them, to the People or Subjects of the other, againſt the Articles of this Alliance, or againſt common Right, there ſhall not therefore be given Letters of Repriſal, Marque, or Counter-marque by any of the Confederates, until ſuch time as Juſtice is ſought and followed in the ordinary courſe of Law: But if Juſtice be denied or delayed, then the King, whoſe People or Inhabitants have received harm, ſhall ask it of the other, by whom (as is ſaid) the Juſtice ſhall have been denied or delayed, or of the Commiſſioners that ſhall be by the one King or the other appointed to receive and hear ſuch Demands, to the end that all ſuch differences may be compounded in friendſhip, or according to Law. But if there ſhould yet be a delay, or Juſtice ſhould not be done, nor ſatisfaction given within ſix months after having the ſame ſo demanded, then may be given Letters of Repriſal, Marque or Counter-marque.

IV. That between the King of *Great Britain* and the King of *Spain*, and their reſpective People, Subjects and Inhabitants, as well upon Sea as upon Land and Freſh-water, in all and every their Kingdoms, Lands, Countries, Dominions, Confines, Territories, Provinces, Iſlands, Plantations, Cities, Villages, Towns, Ports, Rivers, Creeks, Bayes, Streights and Currents, where hitherto Trade and Commerce hath been accuſtomed, there ſhall be free Trade and Commerce, in ſuch way and manner, that without ſafe Conduct, and without general or particular Licence, the People and Subjects of each other may freely, as well by Land as by Sea and Freſh-water, Navigate and go into their ſaid Countries, Kingdoms, Dominions, and all the Cities, Ports, Currents, Bayes, Diſtricts, and other places thereof, and may enter into any Port with their Ships laden or empty, Carriage or Carriages wherein to bring their Merchandiſe, and there buy and ſell what and how much they pleaſe, and alſo at juſt and reaſonable rates, provide themſelves with proviſions and other neceſſary things for their ſubſiſtence and voyage; and alſo may repair

repair their Ships and Carriages, and from thence again freely depart with their Ships, Carriages, Goods, Merchandiſe and Eſtate, and return to their own Countries, or to ſuch other Place as they ſhall think fit, without any Moleſtation or Impediment, ſo that they pay the Duties and Cuſtoms which ſhall be due, and ſaving to either ſide the Laws and Ordinances of their Country.

V. Item, It is likewiſe agreed, That for the Merchandiſes, which the Subjects of the King of *Great Britain* ſhall buy in *Spain*, or other the Kingdoms or Dominions of the King of *Spain*, and ſhall carry in their own Ships, or in Ships hired or lent unto them, no new Cuſtoms, Toll, Tenths, Subſidies, or other Rights or Duties whatſoever ſhall be taken or encreaſed, other then thoſe which in the like caſe the Natives themſelves, and all other ſtrangers are obliged to pay; and the Subjects aforeſaid buying, ſelling and contracting for their Merchandiſes, as well in reſpect of the Prices, as of all Duties to be paid, ſhall enjoy the ſame priviledges which are allowed to the natural Subjects of *Spain*; and may buy, and lade their Ships with ſuch Goods and Merchandiſes; which ſaid Ships being laden, and Cuſtoms paid for the Goods, ſhall not be detained in Port upon any pretence whatſoever; nor ſhall the Laders, Merchants, or Factors who bought and loaded the Goods aforeſaid be queſtioned after the departure of the ſaid Ships, for apy matter or thing whatſoever concerning the ſame.

VI. And to the end that the Officers and Miniſters of all Cities, Towns and Villages belonging to either, may neither demand nor take from the reſpective Merchants and People, greater Taxes, Duties, Stipends, Recompences, Gifts, or any other charges, then what ought to be taken by vertue of this Treaty; and that the ſaid Merchants and People may know and underſtand with certainty what is ordained in all things touching this; It is agreed and concluded, That Tables and Liſts ſhall be put up at the Doors of the Cuſtom-houſes and Regiſtries of all the Cities, Villages and Towns of, or appertaining to one or the other King where ſuch Rights and Exciſes or Cuſtoms are uſually paid; in which, how much, and of what quality ſuch Rights, Cuſtoms, Subſidies and Payments, either to the Kings or any the aforeſaid Officers are allowed, ſhall be put down in writing, declaring

claring aſwell the ſpecies of what is imported, as what is carried out. And if any Officer, or any other in his name, upon any pretence whatſoever; in publick or ſecret, directly or indirectly, ſhall ask or receive of any Merchant or other perſon reſpectively, any ſum of money or other thing, by the name of Right, Due, Stipend, Allowance, or Recompence (though it be by the way of voluntary Donative) more otherwiſe then aforeſaid, the ſaid Officer or his Deputy being in ſuch manner guilty, and convict before a competent Judge in the Country where the Crime is committed, ſhall be put in Priſon for three months, and ſhall pay thrice the value of the thing ſo received; of which the half ſhall be for the King of the Country where the Crime is committed, and the other half for the Denunciator, for the which he may ſue his Right before any competent Judge of the Country where it ſhall happen.

VII. That it ſhall be lawful for the Subjects of the King of *Great Britain*, to bring out, and carry into *Spain*, and all or any Lands and Dominions of the King of *Spain* (where heretofore they have uſed Trade and Commerce) and trade there with all kind of Merchandiſe, Cloaths, Manufactures, and things of the Kingdom of *Great Britain*, and the Manufactures, Goods, Fruits, and kinds of the Iſlands, Towns and Plantations to him appertaining, and what ſhall have been bought by Engliſh Factors on this ſide, or farther on the other ſide of the Cape of *Buena Eſperanca*, without being inforced to declare to whom, or for what price they ſell their ſaid Merchandiſe and Proviſions, or being moleſted for the errors of the Maſters of the Ships, or others, in the entry of the Goods; and at their pleaſure to return again out of the Dominions of the King of *Spain*, with all, or any Goods, Eſtates and Merchandiſe, to any of the Territories, Iſlands, Dominions and Countries of the King of *England*, or to any other Place, paying the Rights and Tributes mentioned in the antecedent Chapters; and the reſt of all their lading which is not brought to Land, they may detain, keep and carry away in their ſaid Ship or Ships, Veſſel or Veſſels again, without paying any Right or Impoſition whatſoever, for it, as if therewith they had never been within any Bay or Port of the Catholique King. And all the Goods, Eſtates, Merchandiſe, Ships or other Veſſels,

with

with any things introduced into the Dominions or Places of the Crown of *Great Britain* as Prizes, and judged for such in the said Dominions and Places, shall be taken for Goods and Merchandise of *Great Britain*, comprehended so by the intention of this Article.

VIII. That the Subjects and Vassals of the Most Serene King of *Great Britain* may bring and carry to all and singular the Dominions of the King of *Spain*, any Fruits and Commodities of the *East-Indies*, it appearing by testimony of the Deputies of the *East-Indy* Company in *London*, that they are of, or have come from the *English* Conquests, Plantations or Factories, with like priviledge, and according to what is allowed to the Subjects of the United Provinces, by the Royal *Cedulas* of *Contravando* bearing date the 27. of *June*, and the 3. of *July* 1663. and published on the 30. of *June*, and 4. of *July* the same year. And for what may concern both the *Indies*, and any other Parts whatsoever, the Crown of *Spain* doth grant to the King of *Great Britain* and his Subjects, all that is granted to the United States of the Low-Countreys and their Subjects, in their Treaty of *Munster* 1648. Point for Point, in as full and ample manner as if the same were herein particularly inserted, the same Rules being to be observed whereunto the Subjects of the said United States are obliged, and mutual Offices of Friendship to be performed from one side to the other.

IX. That the Subjects of the King of *Great Britain*, trading, buying and selling in any of the Kingdoms, Governments, Islands, Ports or Territories of the said King of *Spain* shall have, use, and enjoy all the Priviledges and Immunities, which the said King hath granted and confirmed to the English Merchants that reside in *Andaluzia*, by his Royal *Cedulas* or Orders, dated the 19. day of *March*, the 26. day of *June*, and the 9. day of *November* 1645. His Catholique Majesty by these presents reconfirming the same as a part of this Treaty between the two Crowns. And to the end that it be manifest to all, It is consented, that the said Schedules (as to the whole substance thereof) be passed and transferred to the body of the present Articles, in the name and favour of all and singular the Subjects of the King of *Great Britain*, residing and trading in any places whatsoever within his Catholique Majesties Dominions.

X. That

X. That the Ships, or any other Veſſels that ſhall belong to the King of *Great Britain* or his Subjects, Navigating into the King of *Spain's* Dominions, or any of his Ports, ſhall not be viſited by the Judges of Counterband, or by any other Officer or Perſon, by his own, or by any other Authority; nor ſhall any Souldiers, armed men or other Officers or Perſons, be put on board any of the ſaid Ships or Veſſels; nor ſhall the Officers of the Cuſtom-houſe of the one or the other Party, ſearch in any Veſſels or Ships belonging to the People of the one or the other, which ſhall enter into their Regions, Dominions, or reſpective Ports, until their ſaid Ships or Veſſels are unladen, or until they have carried on ſhore all the Lading and Merchandiſe which they declare they reſolve to diſembarque in the ſaid Port; nor ſhall the Captain, Maſter or any other of the Company of the ſaid Ships be impriſoned, or they or their Boats detained on ſhore; but in the interim, Officers of the Cuſtom-houſe may be put on board the ſaid Veſſels or Ships, ſo they exceed not the number of three for each Ship, to ſee that no Goods or Merchandiſe be landed out of the ſaid Ships or Veſſels, without paying ſuch Duties as by theſe Articles either Party is obliged to pay, which ſaid Officers are to be without any charge to the Ship or Ships, Veſſel or Veſſels, their Commanders, Mariners, Company, Merchants, Factors or Proprietors. And when it happens that the Maſter or Owner of any Ship ſhall declare that the whole Lading of his ſaid Ship is to be diſcharged in any Port, the Entry of the ſaid Lading ſhall be made in the Cuſtom-houſe, after the uſual manner; and if after the Entry made, any other Goods be found in the ſaid Ship or Ships, more then what are contained in the ſaid Entry, eight working dayes ſhall be allowed them on which they may work (which ſhall be reckoned from the day they began to unlade) to the end, that the concealed Goods may be entred, and the Confiſcation of them prevented. And in caſe that in the time limited, the Entry or Manifeſtation of them ſhall not have been made, then ſuch particular Goods only, which ſhall be found as aforeſaid, though the unlading be not finiſhed, ſhall be confiſcated, and not any other; nor ſhall other trouble be given, or puniſhment inflicted on the Merchant or Owner of the Ship; and when the Ships or Veſſels are reladen, they may have freedom to go out again.

XI. That

XI. That the Ship or Ships appertaining to the one or the other King, or to their reſpective People and Subjects, that ſhall enter into any Ports, Lands or Dominions of the one or the other, and ſhall diſcharge any part of their Goods and Merchandiſes in any Port or Haven, being conſigned with the reſt to other Places, within or without the ſaid Dominions, ſhall not be obliged to regiſter or pay the Rights of any other Goods or Merchandiſe, then of that which they ſhall unlade in the ſaid Port or Haven, nor be conſtrained to give Bond for the Goods they ſhall carry to other Places, nor any other ſecurity, if it be not in caſe of Felony, Debt, Treaſon, or other capital Crime.

XII. Whereas the one moity of the Cuſtom of all Forraign Goods and Merchandiſe imported into *England* is allowed and returned back to the Importer, if the ſaid Goods be exported out of the ſaid Kingdom within twelve moneths, after their firſt Landing, upon Oath made that they are the ſame Goods which paid Cuſtom inwards, and that if they be not re-ſhipt within the ſaid twelve moneths, yet they may at all times be exported without paying any Cuſtom or Duty outwards: It is therefore agreed, That if any the Subjects of the King of *Great Britain* ſhall hereafter Land any Goods or Merchandiſe, of what growth or nature ſoever they be, in any of the Ports of his Catholique Majeſty, and having entred them, and paid the Cuſtom which by this Treaty ought to be paid, and ſhall afterwards deſire to tranſport them, or any part of them, to any other Place whatſoever, for a better Market, it ſhall and may be lawful for him or them ſo to do freely, without paying or being demanded any other Cuſtom or Duty at all for the ſame, he or they making Oath, if required thereunto, that they are the ſame Goods for which Cuſtom was paid at their Landing; And in caſe that the Subjects, People and Inhabitants of the Dominions of either part ſhall unlade, or have in any City, Town or Village reſpectively, any Goods, Merchandiſes, Fruits or Eſtates, and have paid the Cuſtoms due, according to what hath been declared, and after that, not being able to put them off, ſhall reſolve to remit them to ſome other City, Town or Village of the ſaid Dominions, they may not only do it without difficulty or impediment, and without paying other Rights then what were due at their Entry,

but likewise the Custom or Rights shall not be paid again in any other part of the said Dominions, bringing Certificates from the Officers of the Custom-house, that they were paid before in the due form. And the chief Farmers and Commissioners of the King of *Spains* Rents in all places, or some other Officer or Officers to be appointed for that purpose, shall at all times permit and suffer the Transportation of all such Goods and Merchandises from place to place, and give sufficient certificate to the Owners thereof, or their Assignes, of their having paid their Custom at their first Landing, whereby they may be carried to, and Landed at any other Port or Place of the said Jurisdiction, free from all Duties or Impediments whatsoever, as aforesaid, saving alwayes the right of any third Person.

XIII. That it shall be lawful for the Ships belonging to the Subjects of the one or other King, to anchor in the Roads or Bayes of either, without being constrained to enter into Port; and in case they be necessitated to enter thereinto, either by distress of weather, fear of enemies, Pirates, or any other accident, in case the said Ships be not bound to an enemies Port, and carrying thither Countraband Goods (whereof without some clear proof, they shall not be questioned) shall be lawful for the said Subjects to return to Sea freely when they please, with their Ships and Goods, so as they do not break bulk, or expose any thing to sale; and that when they cast anchor, or enter the Ports aforesaid, they be not molested or visited; and it shall suffice that in this case they shew their Pass-ports or Sea-papers, which being seen by the respective Officers of either King, the said Ships shall return freely to Sea without any molestation.

XIV. And if any Ship or Ships belonging to the Subjects and Merchants of the one or the other, entring into Bayes, or in the open Sea, shall be encountred by the Ships of the said Kings, or of Privateers their Subjects; the said Ships, to prevent all disorders, shall not come within Canon-shot, but shall send their Long-boat or Pinnace to the Merchant-ship, and only two or three men on board, to whom the Master or owner shall shew his Pass-ports and Sea-Letters, according to the form which shall be inserted at the end of this Treaty, whereby not only the Ships lading, but the place to which she belongs, and as

well

well the Master and Owners name, as the name of the Ship may appear; by which means the quality of the Ship, and her Master or Owner will be sufficiently known, as also the Commodities she carries, whether they be Countraband or not; to the which Pass-ports and Sea-Letters, intire faith and credit shall be given, so much the rather, for that as well on the part of the King of *England*, as of the King of *Spain*, some Counter-signes shall be given (if it shall be found necessary) whereby their authenticalness may the better appear, and that they may not be in any wise falsified.

XV. If any prohibited Merchandise or Goods shall be exported from the Kingdoms, Dominions and Territories of either of the said Kings, by the respective People or Subjects of the one or the other, in such case the prohibited Goods shall be only confiscated, and not the other Goods; neither shall the Delinquent incur any other punishment, except the said Delinquent shall carry out from the respective Kingdoms or Dominions of the King of *Great Britain*, the proper Coin, Wooll, or Fullers-earth of the said Kingdoms, or shall carry out of the respective Kingdoms or Dominions of the said King of *Spain*, any Gold or Silver, wrought or unwrought; in either of which cases, the Laws of the respective Countries are to take place.

XVI. That it shall be lawful for the People and Subjects of both Kings, to have access to the respective Ports of the one and the other, and there remain, and depart again with the same freedom, not only with their Ships, and other Vessels for Trade and Commerce, but also with their other Ships fitted for War, armed, and disposed to resist and engage the enemy, and arriving by stress of weather to repair their Ships, or furnish themselves with Provisions; so that entring willingly, they be not so numerous, that they give just occasion of suspition, to which end they are not to exceed the number of eight, nor continue in their Havens, nor about their Ports, longer time then they shall have just cause for the repair of their Ships, to take in Provisions or other necessary things, much less be the occasion of interrupting the free Commerce, and coming in of other Ships, of Nations in Amity with either King; and when an unusual number of Men of War by accident shall come unto

any Port, it ſhall not be lawful for them to come into the ſaid Ports or Havens, not having firſt obtained permiſſion of the King unto whom the ſaid Ports do belong, or the Governours of the ſaid Ports, if they be not forced thereinto by ſtreſs of weather or other neceſſity, to avoid the danger of the Sea, and in ſuch caſe they ſhall preſently acquaint the Governour or chief Magiſtrate of the place with the cauſe of their coming; nor ſhall they remain there any longer time then the ſaid Governor or Magiſtrate ſhall think convenient, or do any act of Hoſtility in ſuch Ports, that may prove of prejudice to the one or the other of the ſaid Kings.

XVII. That neither the ſaid King of *Great Britain*, nor the King of *Spain*, by any Mandate general nor particular, nor for any cauſe whatſoever, ſhall embarque or detain, hinder or take for his reſpective ſervice, any Merchant, Maſter of a Ship, Pilot or Mariner, their Ships, Merchandiſe, Cloaths or other Goods belonging unto the one or the other, in their Ports or Waters, if it be not that either of the ſaid Kings, or the perſons to whom the Ships belong, be firſt advertiſed thereof, and do agree thereunto; Provided that this ſhall not be conſtrued to hinder or interrupt the ordinary courſe of Juſtice and Law in either Country.

XVIII. That the Merchants and Subjects of the one and the other King, their Factors and Servants, as alſo their Ships, Maſters and Mariners, may as well going as coming, upon Sea and other Waters, as in the Havens and Ports of the one and the other reſpectively, carry and uſe all kind of Arms, Defenſive and Offenſive, without being obliged to regiſter them, as alſo upon Land to carry and uſe them for their defence, according to the cuſtom of the Place.

XIX. That the Captains, Officers and Mariners of the Ships belonging to the People and Subjects of either Party, may not commence an Action, nor hinder or bring trouble upon their own Ships, their Captains, Officers or Mariners in the reſpective Kingdoms, Dominions, Lands, Countries or Places of the other for their Wages or Saleries, or under any other pretence. Nor may they put themſelves, or be received, by what pretext or colour ſoever, into the ſervice or protection of the King of *England*,

England, or King of *Spain*, or their Arms; but if any controverſie happen between Merchants and Maſters of Ships, or between Maſters and Mariners, the compoſing thereof ſhall be left to the Conſul of the Nation, but after ſuch manner, as he who ſhall not ſubmit to the Arbitrement, may appeal to the ordinary Juſtice of the place where he is ſubject.

XX. And to the end that all Impediments be taken away, and that the Merchants and Adventurers of the Kingdoms of *Great Britain* be permitted to return to *Brabant*, *Flanders*, and other the Provinces of the Low-Countries, under the Juriſdiction of the King of *Spain*; Foraſmuch as it hath been thought convenient, that all, and any the Laws, Edicts, and Acts by which the importation of Cloth, or any other Woollen Manufacture, of what kind ſoever, dyed, or undyed, mill'd or unmill'd, into *Flanders*, or the other Provinces, hath been prohibited, be revoked and diſannull'd; and that if any Right, Tribute, Impoſition, Charge or Money, hath been with permiſſion, or otherwiſe put upon Cloaths, or any of the aforeſaid Woollen Manufactures ſo imported (except the ancient Tribute upon every piece of Cloth, and proportionably upon every other Woollen Manufacture, agreeable to the ancient Treaties and Agreements between the then Kings of *England*, and the Dukes of *Burgundy*, and Governours of the Low-Countries) the ſame ſhould be altogether void, and no ſuch Tribute or Impoſition from henceforth impoſed, or put upon the ſaid Clothes or Manufactures for no cauſe or pretext whatſoever; And that all the *Engliſh* Merchants, trading in any of the ſaid Provinces, their Factors, Servants, or Commiſſioners, ſhould enjoy from henceforward, all the Priviledges, Exemptions, Immunities and Benefits, which formerly have been agreed and given by the aforeſaid ancient Treaties and Agreements, between the then Kings of *England* and the Dukes of *Burgundy*, and Governours of the Low-Countries: It is therefore agreed, That Deputies ſhall be named by the King of *Great Britain*, who meeting with the Marqueſs of *Caſtelrodrigo*, or the Governour of thoſe Provinces for the time being, or any other Miniſters of the King of *Spain*, ſufficiently authoriſed in this behalf, ſhall friendly Treat and Conclude hereupon; and alſo ſuch further Priviledges, Immunities, and

neceſſary

neceſſary Exemptions, ſuitable to the preſent ſtate of Affairs, ſhall be granted for the encouragement of the ſaid Merchants and Adventurers, and for the ſecurity of their Trade and Commerce, as ſhall be agreed upon in a ſpecial Treaty, that ſhall be made between both the Kings, touching this Particular.

XXI. The Subjects and Inhabitants of the Kingdoms and Dominions of the Moſt Serene Kings of *Great Britain* and *Spain* reſpectively, ſhall with all ſecurity and liberty, ſail to, and Traffick, in all the Kingdoms, Eſtates, or Countries, which are or ſhall be in Peace, Amity, or Neutrality with the one or the other.

XXII. And they ſhall not be diſturbed or diſquieted in that liberty, by the Ships or Subjects of the ſaid Kings reſpectively, by reaſon of the hoſtilities which are or may be hereafter between either of the ſaid Kings, and the aforeſaid Kingdoms, Countries, and States, or any of them, which ſhall be in Friendſhip or Neutrality with the other.

XXIII. And in caſe that within the ſaid Ships reſpectively, be found by the aboveſaid means, any Merchandiſe here under mentioned, being of Countraband, and prohibited, they ſhall be taken out and confiſcated, before the Admiralty, or other competent Judges; but for this reaſon, the Ship, and the other free and allowed Commodities which ſhall be found therein, ſhall in no wiſe be either ſeiſed or confiſcated.

XXIV. Moreover, for better prevention of the differences which might ariſe touching the meaning of forbidden Merchandiſe, and of Countraband; It is declared and agreed, That under this name ſhall be comprehended all Fire-Arms, as Ordnance, Muskets, Mortar-pieces, Petards, Bumbs, Granadoes, Fire-crancels, Fire-balls, Musket-reſts, Bandeliers, Gunpowder, Match, Salt-peter, and Bullets; likewiſe under the name of forbidden Merchandiſe, are underſtood all other Arms, as Pikes, Swords, Pots, Helmets, Backs, and Breaſts, Halberds, Javelins, and ſuch like Armour; Under this name is likewiſe forbidden the tranſportation of Souldiers, Horſes, their Harnaſſes, Caſes of Piſtols, Holſters, Belts, and other Furniture, formed and compoſed for the uſe of War.

XXV. Likewiſe to prevent all manner of diſpute and contention,

tention, It is agreed, That under that name of forbidden Merchandise, and of Countraband, shall not be comprehended Wheat, Rye, Barley, or other Grains, or Pulse, Salt, Wine, Oyle, and generally whatsoever belongs to the sustaining and nourishing of life, but they shall remain free, as likewise all other Merchandises not comprehended in the preceding Article; and the transportation of them shall be free and permitted, although it be to the Towns and Places of Enemies, unless such Towns and Places be besieged, blocked up, or surrounded.

XXVI. It is also agreed, That whatsoever shall be found laden by the Subjects or Inhabitants of the Kingdoms and Dominions of either of the said Kings of *England* and *Spain* aboard the Ships of the enemies of the other, though it be not forbidden Merchandise, shall be confiscated, with all things also which shall be found within the said Ships, without exception or reserve.

XXVII. That the Consul which hereafter shall reside in any of the Dominions of the King of *Spain*, for the help and protection of the Subjects of the King of *Great Britain*, shall be named by the King of *Great Britain*, and he so named, shall have and exercise the same power and authority in the execution of his charge, as any other Consul hath formerly had in the Dominions of the said King of *Spain*; and in like manner the Spanish Consul residing in *England*, shall enjoy as much authority as the Consuls of any other Nation have hitherto enjoyed in that Kingdom.

XXVIII. And that the Laws of Commerce that are obtained by Peace, may not remain unfruitful, as would fall out if the Subjects of the King of *Great Britain*, when they go to, come from, or remain in the Dominions or Lordships of the King of *Spain*, by reason of their Commerce or other business, should be molested for case of Conscience; therefore that the Commerce be secure, and without danger, as well upon Land as at Sea, the said King of *Spain* shall provide, that the Subjects of the said King of *Great Britain* shall not be agrieved contrary to the Laws of Commerce, and that none of them shall be molested or disturbed for their Conscience, so long as they give no publique scandal or offence; and the said King of *Great Britain*

shall

neſhall likewiſe provide, for the ſame reaſons, that the Subjects of the King of *Spain* ſhall not be moleſted or diſturbed for their Conſcience againſt the Laws of Commerce, ſo long as they give no publick ſcandal or offence.

XXIX. That the People and Subjects reſpectively of one Kingdom, in the Dominions, Territories, Regions or Colonies of the other, ſhall not be compelled to ſell their Merchandiſe for Braſs-mettal-coin, or exchange them for other Coin or things, againſt their will; or having ſold them, to receive the payment in other ſpecies, then what they bargained for, notwithſtanding any Law or other Cuſtom contrary to this Article.

XXX. That the Merchants of both Nations, and their Factors, Servants and Families, Commiſſioners, or others by them employed; as alſo Maſters of Ships, Pilots and Mariners, may remain freely and ſecurely in the ſaid Dominions, Kingdoms and Territories of either of the ſaid Kings, and alſo in their Ports and Rivers; and the People and Subjects of the one King, may have, and with all freedom and ſecurity enjoy, in all the Lands and Dominions whatſoever of the other, their proper houſes to live in, their Ware-houſes and Magazines for their Goods and Merchandiſe, which they ſhall poſſeſs during the time for which they ſhall have taken, hired, and agreed for them, without any impediment.

XXXI. The Inhabitants and Subjects of the ſaid confederate Kings, in all the Lands and Places under the obedience of the one or the other, ſhall uſe and imploy thoſe Advocates, Proctors, Scriveners, Agents and Solicitors, whom they think fit, the which ſhall be left to their choice, and conſented to by the Ordinary Judges, as often as there ſhall be occaſion; and they ſhall not be conſtrained to ſhew their Books and Papers of Accompt to any perſon, if it be not to give evidence for the avoiding Law-ſuits and Controverſies; neither ſhall they be embarqued, detained, or taken out of their hands, upon any pretence whatſoever. And it ſhall be permitted to the People and Subjects of either King, in the reſpective Places where they ſhall reſide, to keep their Books of Accompt, Traffick and Correſpondence in what Language they pleaſe, in *Engliſh*, *Spaniſh*, *Dutch*, or any other, the which ſhall not be moleſted, or ſubject

to

to any Inquiſition. And whatſoever elſe hath been granted by either Party, concerning this particular, to any other Nation, ſhall be underſtood likewiſe to be granted here.

XXXII. That in caſe the eſtate of any perſon or perſons ſhall be ſequeſtred or ſeiſed on by any Court of Juſtice or Tribunal whatſoever, within the Kingdoms and Dominions of either Party, and any Eſtate or Debt happen to lie in the hands of the Delinquents belonging *Bona fide* to the People and Subjects of the other, the ſaid Eſtate or Debts ſhall not be confiſcated by any of the ſaid Tribunals, but ſhall be reſtored to the true Owners *in ſpecie*, if they yet remain, and if not, the value of them (according to the Contract and Agreement which was made between the Parties) ſhall be reſtored within three moneths after the ſaid ſequeſtration.

XXXIII. That the Goods and Eſtates of the People and Subjects of the one King, that ſhall die in the Countries, Lands and Dominions of the other, ſhall be preſerved for the lawful Heirs and Succeſſors of the deceaſed; the right of any third Perſon alwayes reſerved.

XXXIV. That the Goods and Eſtates of the Subjects of the King of *Great Britain*, that ſhall die without making a Will in the Dominions of the King of *Spain*, ſhall be put into Inventory with their Papers, Writings, and Books of Accompt, by the Conſul or other publick Miniſter of the King of *Great Britain*, and depoſited in the hands of two or three Merchants that ſhall be named by the ſaid Conſul, or publick Miniſter, to be kept for the Proprietors and Creditors; and neither the *Cruzada*, nor any other Judicatory whatſoever, ſhall intermeddle therein; which alſo in the like caſe ſhall be obſerved in *England* towards the Subjects of the King of *Spain*.

XXXV. That a decent and convenient Burial-place ſhall be granted and appointed to bury the bodies of the Subjects of the King of *Great Britain*, who ſhall die within the Dominions of the King of *Spain*.

XXXVI. If it ſhall happen hereafter that any difference fall out (which God forbid) between the King of *Great Britain*, and the King of *Spain*, whereby the mutual Commerce and good Correſpondence may be endangered, the reſpective Subjects and

People of each Party ſhall have notice thereof given them in time, that is to ſay, the ſpace of ſix months, to tranſport their Merchandiſe and effects, without giving them in that time any Moleſtation or trouble, or retaining or embarquing their Goods or Perſons.

XXXVII. All Goods and Rights concealed or embarqued, Moveables, Immoveables, Rents, Deeds, Debts, Credits, and the like, which have not with a formal notice of the cauſe, and by a legal condemnation, according to the Ordinary Juſtice been brought into the Royal Exchequer at the time of concluding this Treaty, ſhall remain at the full and free diſpoſal of the Proprietors, their Heirs, or of thoſe who ſhall have their Right with all the Fruits, Rents and Emoluments thereof, and neither thoſe who have concealed the ſaid Goods, nor their Heirs ſhall be moleſted for this cauſe by the Exchequers reſpectively; but the Proprietors, their Heirs, or thoſe who ſhall have their Right, ſhall have for the ſaid Goods and Rights their Action at Law, as for their own proper Goods and Eſtate.

XXXVIII. It is agreed and concluded, That the People and Subjects of the King of *Great Britain*, and of the King of *Spain* ſhall have and enjoy in the reſpective Lands, Seas, Ports, Havens, Roads and Territories of the one or the other, and in all places whatſoever, the ſame Priviledges, Securities, Liberties and immunities, whether they concern their Perſons or Trade, with all the beneficial clauſes and circumſtances which have been granted, or ſhall be hereafter granted by either of the ſaid Kings, to the Moſt Chriſtian King, the States General of the United Provinces, the Hans-Towns, or any other Kingdom or State whatſoever, in as full, ample, and beneficial manner, as if the ſame were particularly mentioned and inſerted in this Treaty.

XXXIX. In caſe any difference or diſpute ſhall happen on either ſide concerning theſe Articles of Trade and Commerce, by either the Officers of the Admiralty or other perſon whatſoever, in the one or the other Kingdom; The complaint being preſented by the party concerned, to their Majeſties, or to any of their Council, their ſaid Majeſties ſhall cauſe the damages forthwith to be repaired, and all things, as they are above agreed, to be duly

ly executed; and in case, that in progress of time any frauds or inconveniences be discovered in the Navigation and Commerce between both Kingdoms, against which sufficient prevention hath nor been made in these Articles, other provisions may be hereafter mutually agreed on, as shall be judged convenient, the present Treaty remaining still in full force and vigour.

XL. It is likewise accorded and concluded, That the Most Serene and Renowned Kings of *Great Britain* and *Spain* shall sincerely and faithfully observe and keep, and procure to be observed and kept, by their Subjects and Inhabitants respectively, all and singular the Capitulations in this present Treaty agreed and concluded: Neither shall they directly or indirectly infringe the same, or consent that the same shall be infringed by any of their Subjects or Inhabitants. And they shall ratifie and confirm all and singular the Conventions before accorded by Letters Patents reciprocally, in sufficient, full and effectual form, and the same so formed and made, shall interchangeably deliver, or cause to be delivered faithfully and really, within four months after the date of these presents; and they shall then, assoon as conveniently may be, cause this present Treaty of Peace and Amity to be published in all Places, and in the manner accustomed.

Dated at *Madrid*, the $\frac{13}{23}$ day of *May*, in the Year of our Lord, 1667.

The Form of Letters which ought to be given by the Towns and Sea-Ports, to the Ships and Vessels setting sail from thence.

TO all unto whom these Presents shall come; We the Governours, Consuls, or chief Magistrate or Commissioners of the Customs, of the City, Town or Province of *N.* do testifie and make known, That *N. N.* Master of the Ship *N.* hath before Us, under solemn Oath declared, that the Ship *N.* of Tun (more or less) of which he is at present Master, doth belong to the Inhabitants of *N.* in the Dominions of the most Serene King of *Great Britain.* And We, desiring that the said Master may be assisted in his Voyage and Business, do intreat all persons in general and particular, who shall meet him, and those of all Places where the said Master shall come with the said Ship and her Merchandise, that they would admit him favourably, treat him kindly, and receive the said Ship into their Ports, Bayes, Havens, Rivers and Dominions, permitting her quietly to sail, pass, frequent and negotiate there, or in any other places, as shall seem good to the said Master, paying still the Toll and Customes which of right shall be due. Which we will acknowledge gratefully upon the like occasions. In witness whereof, we have signed these Presents, and sealed them with the Seal of our Town.

WILL. GODOLPHIN.

Don PEDRO FERNANDEZ
del Campo y Angulo.

The

THE COPY OF A PATENT,

Containing

Several Gracious Priviledges lately Granted by the High and Mighty

PHILIP THE FOURTH,

KING of SPAIN, &c.

VVhich are confirmed by the foregoing Treaty, and whereof mention is made in the ninth Article of the said Treaty.

Published by His Majesties Command.

EDINBURGH,
Re-printed by *Evan Tyler*, Printer to the Kings most Excellent Majesty, M. DC. LXVII.

The Copy of a Patent, containing ſeveral Gracious Priviledges lately granted by the High and Mighty *Philip* the Fourth, King of *Spain*, &c.

DON *PHILIP*, By the Grace of God, King of *Caſtile*, *Leon*, *Arragon*, the two *Sicilies*, *Jeruſalem*, *Portugal*, *Navarre*, *Granado*, *Toledo*, *Valencia*, *Galicia*, *Majorca*, *Sivilla*, *Sardinia*, *Cordona*, *Corſega*, *Murica*, *Jaen*, the *Algarves*, *Algeſira*, *Gibraltar*, the Iſlands of the *Canaries*, the *Eaſt* and *Weſt-Indies*, Iſlands, and firm Land of the Ocean Sea, Archduke of *Auſtria*, Duke of *Burgundy*, *Brabant* and *Milan*, Earl of *Haſpurg*, *Flanders*, *Tirol*, and *Barcelona*, Lord of *Biſcay* and *Molina*, &c.

WHereas on the behalf of you *Richard Anthony*, Conſul of the Engliſh Nation, for your ſelf, and in the Name of the Subjects of the King of *Great Britain*, it hath been ſhewed unto me, That by vertue of the Peace which is concluded in this and that Realm, you do reſide and trade in *Andaluzia*, and ſpecially in the Cities of *Sivill*, *St. Lucar*, *Cadiz*, and *Malaga*, deſiring me to be pleaſed to confirm unto you the Priviledges, Exemptions and Faculties which do belong unto you as well by the Articles of the ſaid Peace, as by the Confirmations thereof, and other Favours and Graces which my Lord and Father of glorious memory did grant unto you, and all ſuch others which have been given you by the Crowns of my Realms of *Caſtile* and *Portugal*, and to command that they may be in, and for all things obſerved and accompliſhed unto you without any limitation, and for further aſſurance to grant them anew unto you, with the qualities, amplitudes and declarations which ſhall be moſt convenient for you; and to ſet Penalties upon ſuch as ſhall contradict, and not obſerve them unto you; and to the end it may be known what they are, to grant them Copies thereof,

of, or of that which my favour ſhall be; And I taking the Premiſes into conſideration; and becauſe for the occaſions which I have for my Wars, you have offered to ſerve me with 2500. Duckets of Silver, to be paid one Thouſand ready money, and the remaining one Thouſand five Hundred in the Moneth of *April* of this Year; whereof the Licentiate *Francis Moreno*, which in reverſion of *Don Anthony de Campo, Redondo y Rio*, Knight of the Order of *Santiago*, one of my Council and Chamber, and of the Treaſury in your name, and by vertue of your power did acknowledge a Writing of Obligation in form before *John Cortez de la Cruz*, my Notary, I do hold it for good; And by theſe Preſents of my own motion, and certain knowledge, and Royal and abſolute Power, which I in this behalf will make uſe of, and do uſe as an abſolute King and Lord, not acknowledging any Superior in matters Temporal, do confirm and approve the Priviledges, Exemptions, and Faculties which do belong unto you as well by the Articles of the ſaid Peace, as by the Confirmation thereof; and alſo the other favours and graces which my Lord and Father did grant unto you, and others whatſoever, which have been given by my Crowns of *Caſtile* and *Portugal* unto the ſaid Subjects, in and for all things as therein, and every thing and part thereof is ſpecified, contained, and declared, to the end they may be firm, ſtable, and of value, and be obſerved, kept and accompliſhed unto you: For my deliberate intent and Will is, that all thoſe of the ſaid Nation ſhall enjoy thereof without any limitation, in ſuch manner, that, during the time the ſaid Engliſhmen ſhall reſide in *Andaluzia*, neither you nor they may be charged with any Office or publick Charge, nor Council, Tutorſhip, Curatorſhip, Receivers or Treaſurers, although they be of Cuſtomers and Millions, or other Services which concern my Royal Treaſury; and much leſs they may demand of you any Loans or donations, or take from you any Rights, or your Rents, Horſes, or Slaves: And to do you the more favour or grace according to that which is agreed by the ſaid Peace, I do will and promiſe that you ſhall and may deal and trade freely, and ſell your Merchandiſe and Fruits, and buy thoſe of my Realms, and carry them forth, obſerving that which is ordained and commanded by the

Laws

Laws and Statutes, which make mention thereof, and paying to my Royal Treasury the Duties or Customs which ought to be paid, prohibiting, as I do prohibit and command, not to take from you by force any Merchandises, Wheat, or Barley, although it be for the making ready or furnishing my Armies, Fleets, or Gallions, nor for Purveyors or Stewards; and the Priviledges are to be concerning the Wheat and Barley according to the Tun; and concerning the other things and Merchandises, as you shall conclude and agree: but they may not take them out of your possession until they have paid for them, unless for the same there be leave given, that they do not molest and trouble you. And forasmuch as many of you do treat to bring into the Ports of *Andalusia*, the City of *Sivil*, and other places, great quantity of *Newfoundland fish*, and other sorts of dry and salted Fish, because they are Victuals which are very necessary; and that you have been and are put to great Charges, and are much troubled, I do will and command to be kept the Ordinance of the City of *Sivil*, whereby it is ordained, that those which come in with dry or salted Fish, there shall not be any Price or Rate set upon them, but they shall be permitted to sell at such a Price as they shall think good; and it shall not be necessary to manifest them any more then unto my Officers which receive my Royal Rents: and if the Ships wherein the said Fish is brought be great Ships, that they cannot go up the River, and that the same be put into Barques or Lighters, the Judge of the Admiralty nor any other person may not put any Waiters or Keepers into the Barques or Lighters at the charge of the Owners of them.

And I do also command, That if the said Fish shall appear to be rotten, and that it cannot be spent, that it be burnt, or thrown into the Sea; and that for this cause there shall not be any Cause or Action commenced against the Owners thereof, or persons which shall sell it, nor they shall not be imprisoned, nor informed against: And forasmuch as the Administers of the Customs, and others of divers duties which are received for the Fruits and Merchandises, do use when any body doth inform, to have the person imprisoned which sheweth himself to be party, whereby happeneth to men of Trade great discredit,

charges, and vexations; My Will is, and I do command, that in the ſaid Information there ſhall be only proceeded againſt the Merchandiſes, and not againſt the perſons; but they ſhall be permitted (as I do permit them) to make, and they ſhall make their defences in the ſaid Vexation. And foraſmuch alſo, as according to an Article of the ſaid Peace, which maketh mention of Matters in Religion, notwithſtanding that in ſome Suits they ſhould declare whether they be Roman Catholicks or not, excuſing themſelves to give faith to others which they take as parties or as witneſſes;

I do alſo command, That concerning this matter there be not done, nor there ſhall not be done, any thing with thoſe which are born in the ſaid Realm, but only that the ſaid Condition be kept and accompliſhed, and that no ſuch queſtions be put unto them giving unto the Oaths which they ſhall take in Judgement Court, and without, the ſame faith and credit which ſhould be given in caſe they were *Spaniards*; and herein you ſhall not receive any trouble or moleſtation, nor there ſhall not be any grievance done unto you: And whereas for the Juſtification of ſome cauſes, the Judges and Juſtices do pretend that the Merchants of the ſaid Nation ſhould exhibite Books of their contractions or dealings; I do will and command, that the Books of the Merchants of the ſaid Nation ſhall not be taken out of their hands for any cauſe whatſoever, but they ſhall keep and ſhew them in their houſes, to take out the parcel which ſhall be appointed, and others ſhall not be demanded of them, nor there ſhall not be any other Papers taken from them, upon penalty that he which ſhall do here againſt, ſhall be puniſhed according to Law.

And foraſmuch as the Merchants do diſpatch the Merchandiſe from the Cuſtom-houſe of the ſaid City of *Sivil* of all Duties, and becauſe there are many which do make up a ſheet, which is Subſcribed and Signed by all the Officers, and remaineth in the hand of the *Alcayde* of the Cuſtom-houſe; for that by vertue thereof, the Merchandiſes are permitted to go forth, which are in Fardels, Packs, Trunks and Caſes; and afterwards when they have taken them forth, and put them into their Houſes and Warehouſes, the chief Keeper of the Cuſtom-houſe,

and

and the Officers of the half *per Cent.* do visit the House and Goods, troubling and molesting them, demanding of them the dispatches, it seeming unto them, that they may detain them because they left the dispatch in the hands of the said *Alcayde* of the Custom-house; I do prohibit and command, that the houses of the said Merchants shall not be visited, nor the dispatches shall not nor may not be demanded of them, in regard, they have them not in their hands; and this is to be understood, and is understood of houses which are within the Walls of the said City; and to the end it may be known to you, which are of the English Nation, there is to be delivered unto you Copies of the said Priviledges and Exemptions which do concern you and which were granted unto you, as well by the Articles of Peace, as by any other manner. And for execution and accomplishment of all the Premisses, I do command those of my Council, and those of my Councils, Assemblies and Tribunals of my Court, and the Presidents and Judges of my Audiences, *Alcaydes*, and Officers of my House and Court, and Chanceries, and the Regent and Judge of the Court of Degrees of the City of *Sivil*, and chief *Alcaldes* of the Precincts thereof, and all the *Corrigidors*, Assistants, and Governours, chief Justices, and Ordinaries, as well in the said Cities of *Sivil*, *Cadiz*, *Malaga*, and St. *Lucar de Barameda*, as of all other Cities, Towns and Places of these my Realms and Dominions, and all other Judges and Justices whatsoever, of what quality or condition soever they may be, whom principally or incidentally may concern in any manner the accomplishment or performance of that which is contained in this Patent, that presently so soon as they shall be by vertue thereof required, or the Copy thereof Signed by a Notary publick, that there be thereunto given as much faith, as unto the Original; and that every one in the place where it shall concern him do observe, and accomplish, and cause the same to be observed, accomplished, and executed, in and for all things as therein is contained, and they shall not in all nor in part put upon you any impediments, nor any other difficulties or doubts, nor do any thing against the tenor and form thereof, nor consent or give way that it be interpreted, limited or suspended in all or in part, or that to the contrary be given any

Sedidas, provisions, or other dispatches: but for observation thereof, in the place which shall concern every one, they shall give order, and ordain to deliver unto you those which shall be necessary: And for more firmness and validity of the favour and grace which by this my Patent I do grant you, and that at all times this favour may be certain and sure unto you, you are to keep or have a Judge Conservator in *Andaluſia*, especially in the said Cities of Sivil, *Malaga*, *Cadiz*, and St. *Lucar de Barameda*, unto whom I am to give sufficient Commission for keeping and accomplishing the said Priviledges, Liberties and Exemptions, who shall constrain and compell all and whatsoever persons, of what sort or quality they may be that shall concern the said Nation, as well those which shall be Defendants accused, as those which shall be Plaintiffs, although the persons which shall accuse them, and which shall be accused by them, have private Judges, as well by consent as agreement which they may have made by preheminence or priviledge which they hold, to the end the said Judge Conservator may only take knowledge privately of the said Courts, and not any other Judge or Tribunal, although it be by way of excess or notorious Justice, or in any other matter or form, which Judge Conservator is now Doctor *Don Francisco de Vergara*, Judge of my Court *de les Grados*, of the City of *Sevill*, the time that he shall assist therein, and in his absence the Licentiate *Don Francisco de Modrano*, Judge of the same Court, who for the suits which shall be commented in the said Cities of *Cadiz*, *Malaga*, and St. *Lucar*, is to Subdelegate his Conservatorship, in the person which by the said Nation shall be propounded or named, that he may effect the same to the conclusion, and they shall be referred unto him to be determined: and of that which he shall determine, the Appeale is to be made to my Council, and not to any other Court.

And forasmuch as my will is, that every one in his time shall have primative Commission, and Jurisdiction to protect and defend you concerning all the contents of this my Patent, that all the same may be kept and accomplished in the form which I do offer the same unto you, I have found good to charge, as by these presents I do charge them with the protection and defence hereof: and I do command them to see or peruse this my Patent,

tent, and the qualities, conditions, preheminencies, and amplifications therein contained, and to cauſe all the ſame to be kept, accompliſhed and executed, in ſuch form and manner, and according as therein is contained and declared, without conſenting or giving way, that in all, or in part there be made unto you any doubt or difficulty, and before the ſaid *Don Franciſco de Vergara*, or in his abſence before the ſaid *Francis de Medrano*, (and not before any other Judge) privately in the firſt inſtance, are to paſs, and be followed all the cauſes and ſuits, which concerning the premiſes, or any thing or part thereof ſhall be moved and cauſed, and the execution and puniſhment of thoſe which ſhall not be obedient; For my will is, that the knowledge and determination of all the contents in this my Patent, is in all things privately to concern, and ſhall concern them; proceeding in all things againſt thoſe which ſhall be culpable, and executing for the ſame the penalties which are mentioned by Law, reſerving as I do reſerve, the appellations which ſhall be put in upon their acts and ſentences, to my Council, and not any other Court, without that any other of my Councils, Tribunals, Courts, Chanceries, or any other Judges or Juſtices of my Realms or Dominions, of whatſoever quality they be, may meddle, or ſhall meddle therewith, or in the uſe or exerciſe of the Juriſdiction private in the ſaid firſt inſtance, which by this my Patent I do grant unto them, by way of exceſs, appellation, or any other recourſe or manner; the which and every of them, I do inhibit and hold for inhibited the knowledge thereof, and do declare them for incompetent Judges thereof: for which and every thing, and part thereof, I do give them the moſt ſufficient Power, and moſt ample Commiſſion, which according to Law is required and neceſſary, with the incidences and dependencies, annexities; and after them the ſaid *Engliſh* Nation of the ſaid City of *Sivil*, may name in the ſaid Commiſſion one of the Judges of the ſaid Audience, which the ſaid Nation ſhall chuſe: And I do command the Preſident, and thoſe of my Council of the Chamber, that preſenting before them their nomination (the caſe happening) to make void the ſaid Commiſſion, by promotion or vacation of the ſaid *Don Franciſco de Vergara*, and *Don Francis de Medrano*, or to diſpatch it in any other manner,

by Ordinary to him that shall be therein nominated, in the form according, and as by this my Patent is declared. And that it may be the better accomplished, I do from this time give them power and authority, that they may Subdelegate, and they shall Subdelegate this Commission, for the business and suits which shall be offered in the said Cities of *Cadiz*, *Malaga*, St. *Lucar de Barameda*, in the person which by you shall be propounded unto them, that they may substantiate them for a conclusion, and remit the Suits and Causes unto them to be determined, in such manner as they shall find good and convenient, for the security of that which is contained in this my Patent. And I do charge the most excellent Prince, *Don Balthazar Charles*, my most dear and most beloved Son, and do command the Infants, Prelates, Dukes, Marquesses, Earls, Richmen, Commanders, and Under-Commanders, Governours of Castles, strong Houses, and Plains, and those of my Council, Presidents and Judges of my Courts, Alcaydes, and Officers of my House, Court and Chanceries, and all the Corigidors, Assistants, Governors, Alcaldes, Mayors, and Ordinaries, and whatsoever Judges and Justices of these my Realms and Dominions, to observe and accomplish, and to cause to be observed and accomplished, this my Patent, and the favour or grace which thereby I do grant you, and against the tenor and form thereof, not to do or pass, now, nor at any time, in any manner perpetually for evermore. Nor to consent or give way to be limited or suspended unto you, all or part thereof, notwithstanding of whatsoever Laws or Statutes of these my Realms and Dominions, Ordinances, Stile, Use, or Custom of the said Cities of *Sivill*, *Cadiz*, *Malaga*, or St. *Lucar*, or any other thing which is or may be to the contrary; the which for this time, forsomuch as concerneth this matter, holding the same here for inserted and incorporated, as it were word for word written, I do dispence, abrogate, derogate, cancel, annihilate, and make void and of none effect, remaining in full force and effect for all other things henceforward. And for this my Patent *Jeronimo de Canencia*, Auditor of Accompts, in my chief Office of Accompts, and my Secretary of the Mediaenate shall take a Copy, at whose Charge is the accompt and reason of this right. And I do declare, that for this favour you have paid the duty of the

Mediaenate,

Mediaenate, which amounteth to thirty and five thousand one hundred fifty and five Maravediz in Silver: which sum you are to pay from fifteen to fifteen years perpetually, and in case they do accompliſh or end, you may not make uſe of this favour, untill ſuch time as it ſhall firſt appear that you have ſatisfied this duty. And you are alſo to pay the Judge Conſervator, which ſhall be named, his Salary, or to help to bear his charges, which he ſhall enjoy for his labor or pains in the ſaid buſineſs, before you ſhall enjoy thereof, which is to appear by Certificate of the Office of this Duty. Given in *Saragoſa*, the nineteenth day of *March*, *Anno* 1645.

I *The King*, *I* Anthony Carnero, *Secretary of the King our Lord*, *did cauſe it to be written*, *by his Commandment*. *Regiſtred*, Michael de Lariaga, *Lieutenant of the Lord High Chancellor*. Michael de Lariaga. *The Copy was taken*, Jeronimo de Canencia; Don John Chumazero y Carillo, *Doctor*. Don Anthony de Campo Redondo y Rio, *Licenciate*.

JOSEPH GONSALES.

THis Copy doth agree with that out of which it was taken, which for this effect was exhibited unto me by *William Bland*, dwelling in the City of *Sivill*, who took it away again with him the 11. of *April*, *Anno* 1645.

Joſeph de Pineda, Notary Publick of the City of *Sivill* for the King.

FINIS.